

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DAVID RODRIGUEZ,

Plaintiff,

vs.

HOWARD SKOLNICK, *et al.*,

Defendants.

Case No. 3:09-cv-00123-LRH-RAM

ORDER

Before the Court is Plaintiff's Motion to Dismiss Without Prejudice (#14). A plaintiff may voluntarily dismiss an action by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). Unless otherwise noted, the dismissal is without prejudice. Fed. R. Civ. P. 41(a)(1)(B). Defendants have not been served, entered an appearance, or served an answer or motion for summary judgment in this matter.

Accordingly, and with good cause appearing,

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to Dismiss Without Prejudice (#14) is **GRANTED**. This action is **DISMISSED without prejudice**.

**IT IS FURTHER ORDERED** that the Clerk of the Court shall administratively **CLOSE** this case.

DATED this 28<sup>th</sup> day of September, 2009.

LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE